

**A MEETING OF THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL BE HELD IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON WEDNESDAY, NOVEMBER 20, 2007 AT 3:30 P.M.**

**PRESENT:** Chairman Mayor James Garner, Vice Chairman Bill Utz, Kevin Zurschmiede and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Tim Crawford, Brian Dixon and Rob Sartell, EMC, and Deputy City Clerk Mindy Milburn.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order at 3:35 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**COMMUNICATIONS - PUBLIC:**

**COMMUNICATIONS - CITY OFFICIALS**

**SEWER ADJUSTMENTS:**

**Ms. Welsh** presented and adjustment for Bert Huncilman 115 Security Parkway in the amount of \$20, 915.76. She stated that her office double checked the amounts and she just needs approval from the board.

**Mr. Sartell** stated that the reasons that Chris' numbers were different was because 8 of the 9 SIU's have meters that are effluent meters so they are lower on average but could be higher because of surcharge.

**Mr. Utz moved to issue a check to Mr. Huncilman in the amount of \$20,915.76, Mr. Kochert second, all voted in favor**

**Ms. Welsh** presented and adjustment for Jeffrey Hubbard 3926 Douglas Ave. in he amount of \$373.88. She stated that Mr. Dixon went out to check the pool and she was showing that it did not exceed the \$375 limit so she just wanted to inform the board of the adjustment. She reported that she has a pre-lien for Clara Miller in the amount of \$282.39 that was an old Helvey account so she can't tell exactly what it was for but they sent a pre-lien letter to Ms. Miller who in return provided her office with a letter that coincides with what she told them about a broken sewer line but she has no way to reconcile it.

**Mayor Garner** asked what it meant when they have a bad debt on there and if that was the day it was charged off.

**Ms. Welsh** stated that is the day IN-AWC charged it off and gave it to Helvey.

**Mr. Utz** asked if this includes a penalty

**Ms. Welsh** said that she believes it does but they can't get a break down of that account from Helvey because they have purged all of their records.

**Mr. Utz** stated that if this includes a 35% penalty they should take that off.

**Ms. Welsh** reported that they filed another set of Helvey liens totaling \$11,644.98 and Keystone liens totaling \$32,231.67. She stated that Mr. Fifer had asked about balances and what they haven't collected totals \$203,019.31 which means that they have collected or written off \$391,700.37.

**Mr. Utz** asked if she had a break down of this

**Ms. Welsh** stated that she would have this eventually but it is a lengthy process

**Mr. Fifer** asked what they have written off

**Mrs. Welsh** stated that if they have declared bankruptcy or ownership change they are written off.

**Mayor Garner** asked about hiring someone part time to help the sewer office get caught up on these accounts by the end of the year.

**Ms. Welsh** stated that it is a difficult process to learn in such a short amount of time but she would be open to look into it.

## **NEW BUSINESS:**

### **Item #1 - Mike Ries re: Property at 1109 West Street, no sewer main to hook into**

**Mike Ries** addressed the board regarding the 1100 block of West Street and stated that he does not have access to sewers.

**Mr. Dixon** referred the map that he provided to the board and stated that Mr. Ries wants to build a house there close to Ivy Court and he stated that they closest one is a small line that they have had a lot of problems with. He explained that the line between West and Crystal is an 8 inch line and it is in good shape and the line on the south end towards West Street is 8 inch and then turns into 12 inch and it is also in good shape. He stated that he would not recommend him tying into the 6 inch line because of the problems with the line and they do not maintain them and they do not have any other options besides the ones he presented on the map. He told Mr. Ries that he would like him to extend to an 8 inch line and if he can't get to these then he could put in a small pump and go over to the gravity line.

**Mr. Ries** stated that for him to replace over 300 feet of sewer and upgrade an entire block is not going to be feasible for him to do if that is the route the board decides on. He stated that he would have no problem replacing the line that was on his property but he wouldn't be able to do the entire block.

**Mayor Garner** asked where the duplex was connected

**Mr. Dixon** says he would assume the six inch lateral that is in that area but he doesn't know for certain.

**Mr. Ries** says he does know his neighbor hooks into a place about 10-15 feet away from his house but like Mr. Dixon says it is on a 6 inch lateral.

**Mr. Dixon** said the other option is to run up Ealy Street but he is not sure of the elevation so he can't say for sure now but he believes it would give first floor surface but not sure about a basement.

**Mr. Ries** said if he can gain access to another line he will be building a new house in that area.

**Mayor Garner** stated that he doesn't know of any long term plans to do any more development in that area. He stated that they do have a five year plan but West Street is not on it unless something breaks.

**Mr. Ries** asked if there was any way to tie into a line that is 6 inch

**Mr. Dixon** stated that state standard is that you can't tie more than one house on a 6 inch line. He explained that is what IDEM goes by and what the City goes by.

**Mr. Utz** asked how many feet it would be to Ealy Street.

**Mr. Dixon** said he thinks 200 feet but he isn't sure.

**Mayor Garner** stated that he doesn't know of any waiver or appeal system that is available for him to turn to because IDEM stated that they can't connect more than one house on a 6 inch line.

**The board went over several options for Mr. Ries to look at and stated that they would have to run the numbers to see which option is most cost effective.**

**Mayor Garner** stated that if he could come up with something that is affordable for him they would be more than happy to approve it but it doesn't look as though there is any other option that doesn't require him to replace a large section of the sewer line.

**Mr. Zurschmiede** stated that he would suggest talking to a few plumbers to get some estimates.

**Mr. Dixon** stated that he could give him the map so that the plumbers would know what would be acceptable and he could tell them what type of lines he would have to use.

**Mayor Garner** stated that he should get some estimates and he could bring it to the board to see if there is anything the board could pay for from a utility stand point.

## **Item #2 - Mark Winterheimer, Autumn View re: Sewer credit request**

**Mr. Winterheimer** stated that he was here to check on the sewer plan that they had on Kamer Miller Road

**Mr. Fifer** asked Mr. Christmas where he was at on having an update for December.

**Mr. Christmas** stated that he would have it by the first meeting.

**Mayor Garner** asked for a preliminary number by that first meeting so that they can try to come to completion on this

**Mr. Kochert** asked if all his other properties were paid up

**Mr. Winterheimer** stated that they are with the renters so he doesn't know

**Mrs. Welsh** stated that there are some liens that have been filed and she has a few delinquents in the Keystone on Sarah Lane

**Mr. Winterheimer** stated that was probably from his construction

**Mayor Garner** stated that he should get with Ms. Welsh to get that up to date on this.

**Mr. Fifer** stated that they have reduced it to a minimum that they would contribute which is approximately \$280,000 so they are trying to take both commitments to see if the board has enough money to proceed but they can't start until Phase I is constructed either way and sometime between now and March the board will try to make a definitive decision.

## **OLD BUSINESS:**

### **Item # 1 - Donohue re: Project Update**

**Mr. Elling** reported on 15<sup>th</sup> street and stated that he has been trying to contact the railroad without success.

**Mayor Garner** suggested that he try to contact the PR person because he told him in the past that if they had any issues to call him.

**Mr. Elling** stated that he did see Pipeyes out at 15<sup>th</sup> Street

**Mr. Dixon** stated that they have done the cleaning and the storm sewers are all done. He explained that they have done the cleaning for the sanitary sewers but have run into numerous problems, primarily their cameras not going through the pipes. He stated that they anticipate being done tomorrow but it could be subject to change.

**Mr. Elling** asked if he knew when they would get that report to them

**Mr. Dixon** stated that he would anticipate that would be very quickly like by the end of next week

**Mr. Elling** reported that the master plan was near completion and he would have a draft copy ready for review by next week and wanted to know what type of schedule the board wanted to look at so that they would have time to review it and get back to him.

**The board decided to have him mail it to them by next week and if he got it to Mr. Dixon by Friday it could go in the packets and he could expect comments by the meeting on the 4<sup>th</sup> with a goal to have the final copy in their hands by the 18<sup>th</sup>**

**Mr. Elling** reported that the plant water strainer was sent to them and asked how the board wants him to proceed.

**Mr. Utz** expressed concerns about not having enough money to do this project.

**The board went over the design engineering proposal for automatic water strainers.**

**Mr. Utz motioned to accept the engineering proposal for automatic water strainers for \$14,900, Mr. Kochert second, all voted in favor.**

### **Item #2 - Clark Dietz re: Project Update**

**Mr. Christmas** reported that Team is back on site for Basin 35 and will begin laying pipe and MAC is on site of the lift station project now and they can see some progress. He stated that the force main project production is in progress and that the soil is better now to proceed. He reported that they have submitted their traffic plan to the Board of Works and it was approved.

**Mr. Dixon** stated that the Galligar Plant called and stated that the entrance has to stay open. He explained that they stated that they can come in from Jackson or Floyd, it doesn't matter which. He stated that they are aware that during construction they will have to have some type of limited access and after construction is done there is a space of about 8 inches that needs to be filled up.

**Mr. Christmas** stated that they are going to come out and pour concrete and that even though Jackson is closed it is still accessible. He stated that he hasn't heard any complaints other than the owner of the Rustic Frog. He stated that they will be done with Floyd by next week and will begin concrete patching of Jackson by the end of the week.

**Mayor Garner** stated that they have questions about certified wages.

**Mr. Christmas** said they have provided them with the information including a certified payroll. He explained that he does have the plans for basin 18 done and ready to send off with exhibits and descriptions and wanted to know if he had to do the same for the parks property

**Mr. Fifer** stated that he would suggest that he do that for record keeping purposes.

**Mr. Zurschmiede** asked about the trees.

**Mr. Christmas** stated that they were done out there on the Robert E Lee project and that project could be closed out.

## **EMC REPORT:**

**Mr. Sartell presented the board with the EMC report as follows:**

### **Independent Back-Up Float Control Project**

Both the 10<sup>th</sup> St. and Charlestown lift station have had the independent back-up float system installed. These systems have been tested and are operating properly. The next phase of the project is the Intermediate Pump Station (IPS) located ant the WWTP. Currently parts have been ordered and programming is being developed. The estimated cost of the IPS phase is \$18,000 this \$4,500 higher than the previous two phases. This is due to the complexity of programming that controls the out put pumping capacity at 40MGD and the proposed programming that Delta Electric is going to have to develop.

### **Screen and Grit Removal Project**

The conveyors system that is to be used for this project has been disassembled and is being retrofitted and refurbished at Hagmann Enterprises. Removal of the Grit and Screen piping has begun in the 210 building.

### **HVAC, Make Up Air Units & Exhaust Units**

Crum Heating & Cooling have started the annual inspection and needed repair of the various types of air handling and heating systems. As of 11-12-07 \$1,835.50 in repairs and replacement parts have been completed.

## **Project Advantage**

EMC has premiered a new service for all clients called Project Advantage. One of the many new services that will be available to New Albany will be 24 hour 7 day a week remote monitoring of the WWTP SCADA system. This will be another set of eyes monitoring the WWTP and contacting on call personnel when alarms are detected.

## **Robert E. Lee Lift Station Project**

During 2007 EMC has invested \$26,380 in capital improvements to the existing pumps at Robert E. Lee. EMC and the City will not get the full 5 year warranty life from these pumps due to the current lift station upgrade now in progress. EMC is requesting 4/5 of the costs for the capital investment are reimbursed to the M&R for the sum of \$21,104.00

**Mr. Fifer** asked if that would go back in M&R for calendar year 2007.

**Mr. Sartell** said yes

**Mr. Fifer** asked if they do not spend that much once that amount is added in actual expenditures if they would get it back and asked where they were on expenses.

**Mr. Sartell** stated that they are running around \$38,000 over budget and stated that they would need action on this by the next meeting.

**The board decided to put this on the agenda for the next meeting.**

**Mayor Garner** asked if they would be able to use those pumps anywhere else in the City as temporary pumps.

**Mr. Sartell** stated that they are dry-well pumps and this technology hasn't been used in years.

## **South Audubon Sewer Replacement Project**

This project is expected to be completed on 11-21-07 with site restoration to begin after Thanksgiving.

## **Lewis Street Sewer Replacement Project**

This project is substantially complete except for site restoration.

**Mr. Utz** asked about labor costs.

**Mr. Dixon** stated that they had a wage hearing the last Wednesday in November consisting of a tax-payer representative, and City representative, and the union representative. He explained that the state representatives did not show up and he gave them Gordon Martins name for the county representative. He stated that at the commissioners meeting they assigned two people for Basin 18 and Lewis Street and those two gentlemen showed up and the meeting but because they weren't on the list they weren't allowed to participate. He stated he has copies of the wage rates that were approved at the meeting but were not necessarily the same ones that were brought to the board.

**Mayor Garner** stated that the commissioners want this rate thrown out and they want a new hearing for next month.

**Mr. Fifer** asked if the county was allowed to participate would the rate change all that much.

**Mr. Dixon** stated that based on what he has seen he doesn't think it will change much on these projects but he would get the calculations to the board.

**Mr. Fifer** stated if it is a significant amount they would find a way to work it out.

**Mr. Christmas** stated that these numbers would also be applied to the Basin 18 project and that is a large scale project.

**Mayor Garner** questioned how the motion even passed without a majority of the body being there in the first place and stated that this should be brought to their attention.

**Secondary Clarifier Recoating Project**  
This project is complete.

**McDonald Lane Odor Control**  
Have not received any odor complaints since the manhole in the 1700 block of McDonald Lane was resealed.

**Payne Koehler Road Odor**  
EMC has stated the process of identifying the source of the odor on Payne Koehler Rd. The Odor Data Logger was installed at the discharge point of the Crystal Creek lift station and the first run of data does not, at this time, appear to be the source. Two more streams of data will need to be acquired to get a more accurate picture of what is happening. Another Odor Data Logger is being purchased to speed the data collection process. EMC has had Frakes Engineering reprogram the pumping sequence program of Prosser Lift Station to optimize the use of one force main to be used exclusively until the flow level reached a certain point at which both force mains will be used. Previously both force mains were being utilized on an alternating pump cycle.

**Change of Scope – Lab Expenses**  
Due to the new NPDES Permit the testing frequency for metals and Bio- Monitoring has increased since April the 1<sup>st</sup> of 2007 which has increased operating costs. EMC will be submitting an invoice for costs incurred since the start date of the new NPDES Permit and increased monthly compensation.

**Mr. Dixon** reported that he has a list of contractors for Basin 15 projects that can't be done in house and they have to be done in order for them to move forward. He stated that there are 10 projects that are going to contractors and explained that Basin 5 will be the most costly project and he and rob will be working on that together.

**BIDS:**

**CLAIMS:**

**Mr. Sartell presented the following appraisal service invoice totaling \$3,350.00:**

Parcel I	J&S Builders	\$1,275.00
Parcel II	Arbor Ridge	\$400.00
Parcel III	Meijer	\$1,275.00
Parcel IV	Prosser	\$400.00

**Mr. Utz** asked why it was past due.

**Mr. Fifer** explained that it had gotten misfiled and he didn't see it until recently.

**Mr. Utz moved to approve, Mr. Zurschmiede second all voted in favor.**

**Mr. Fifer** went over the letter that he wrote to IU Southeast regarding the calculation of the connection fee; the letter is on file with the City Clerks office. He stated that he explained to them that unless they get this resolved they will not be allowed to connect and he put them on notice of the flat rate issue.

**Mr. Dixon** stated that Purdue has not made their connection yet and he talked to MAC about why this was and was told that they didn't have approved plans yet so he is assuming it has been sent to IDEM and they are waiting to hear from them.

**Mr. Fifer** explained the proposed modifications to the Consent Decree and stated that he is fine with the modifications and went through them with the board.

**Mr. Utz** asked about action being taken on TIF.

**Mr. Fifer** stated trying to get info from John that will let them know what needs to be done.

**Mr. Dixon** stated that he gave the information to Mark needed for Prosser and Mt. Tabor lift station. He explained that Mark asked for cost pay schedules for Mt. Tabor and Prosser lift stations and he will use those cost to generate the money received from the TIF district.

**Mr. Utz** stated the TIF was supposed to be in two installments from 2007 & 2008 and asked if it all carries over if they would get them both in 2008

**Mayor Garner** said he would think so because the money is there or accumulating.

**Mr. Fifer** stated that he needs to draft a resolution that they are allocating 32,250 gallons to the industrial park unless they approve otherwise. He asked if they wanted to offer to set aside 25,000 gallons and then they can decide if they want to let another project go in the interim.

**Mayor Garner** stated that 25 sounds like a good number to him, and stated that they really need that \$208,000 from Winterheimer.

**Mr. Fifer** stated that he will draft a very basic resolution that states that they are allocated 25,000 gallons of capacity that is available once Phase I is done and he would suggested that they approve that tonight.

**Mr. Utz moved to approve the resolution, Mr. Zurschmiede second, all voted in favor**

**Mr. Utz** asked about Ban

**Mr. Fifer** stated that Mark was in the process of getting this started and they won't know until the next meeting when he comes in with his report.

**Mr. Utz** asked about Timberlake Plumbing

**Mr. Dixon** stated that he has tried to call Mr. Timberlake and he would get the number changed because storm water agreed to pay a certain amount.

**Mr. Utz** said it is \$4,428.06

**Mr. Dixon** stated that he would take care of it.



**Mr. Utz** said one way to save money is by looking at salaries that they pay. He doesn't believe they should pay for salaries that aren't part of the sewers. He stated that the girls in the controller's office and the City Clerk are two salaries that he doesn't think should come from the sewer budget.

**Mayor Garner** stated that the clerk is paid to be their secretary.

**Mr. Fifer** stated that is by ordinance.

**Mr. Utz** stated that the Board of Works doesn't pay her extra so why are they singled out and stated that the basic salary needs to be increased instead of taking it out of their budget.

**There was a lengthy discussion about why the sewer is paying for employees in the controller's office and general funds being the monies that is taking care of this.**

**Mayor garner** stated that he would check into it to see if storm water is paying for any of this.

**Mr. Utz** said they should get a quote from Melheiser, Endris and Tucker to see what they would be willing to do this for.

**Mr. Fifer** stated that he doesn't know of any prohibition against doing that. He stated that any structure that was going to be set up with have to pass a lot of requirements but assuming they did he doesn't know of any prohibition on this.

**Mr. Utz** stated that sanitation increase was turned down by the Board of Works and he stated that unless things change sanitation is going to owe them for 2007. He asked what the latest date is on the suit.

**Mr. Fifer** stated that they are set for a hearing on December 9<sup>th</sup>; he explained that he filed motion to dismiss and Mr. Ulrich hasn't filed a response. He stated that he is trying to make the entire suit go away but if he can't then he is going to get them dismissed as individual defendants.

**Mayor Garner** stated that they provided information about why each count has been dismissed

**Mr. Fifer** stated that he would strongly recommend that they have someone to define space and resources that they need to take over the billing system and Mark McCormick would be an excellent person to do that and he thinks that he would give them a reasonable price on it.

**ADJOURNMENT:**

**There being no further business before the Sewer Board, the meeting adjourned at 5:30 p.m.**

**Respectfully submitted,**

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**Mayor James Garner, Chairman**

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**Mindy Milburn, Deputy City Clerk**